

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Peter G. Sheridan
v. : Crim. No. 09-247 (PGS)
DAMION NELSON : CONTINUANCE ORDER

This matter having come before the Court on the joint application of Ralph J. Marra, Jr., Acting United States Attorney for the District of New Jersey (by Brooke E. Carey, Assistant U.S. Attorney), and defendant Damion Nelson (by Peter Carter, AFPD) for an order granting a continuance of the proceedings in the above-captioned matter, and the defendant being aware that he has the right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendant has consented to such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to finalize a plea agreement, which would render trial of this matter unnecessary;

2. Defendant has consented to the aforementioned continuance; and

3. Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

WHEREFORE, on this 8 day of September, 2009,

IT IS ORDERED that the period from August 28, 2009, through December 7, 2009 shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Section 3161(h)(8).

IT IS FURTHER ORDERED that all dates for the parties to file and respond to motions, for the motion hearing and for trial in the court's Order For Discovery and Inspection shall be stayed as follows:

ORDERED that:

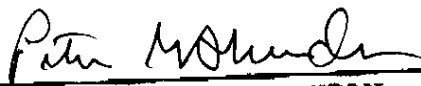
1. Defendants shall file pretrial motions on or before September 28, 2009


2. The Government shall respond to such motions on or before October 13, 2009

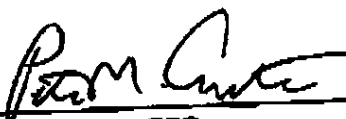
3. The return date for pretrial motions shall be November 10, 2009 and

5. Trial shall commence on December 7, 2009 at 10:00 a.m.

IT IS FURTHER ORDERED that the period from August 28, 2009 through December 7, 2009 shall be excludable in computing time under the Speedy Trial Act of 1974.


HON. PETER G. SHERIDAN
United States District Judge


Assistant U.S. Attorney
Brooke E. Carey


Peter Carter, AFPD
Counsel for defendant Damion Nelson